

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Gary Feinerman	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 7230	DATE	9/20/2011
CASE TITLE	Schrock vs. Wenner Media, et al.		

DOCKET ENTRY TEXT

Motion hearing held. Plaintiff Schrock's oral motion to voluntarily dismiss her claims pursuant to Rule 41(a)(2) is granted. (Because answers have been filed [32][34], Plaintiff Schrock may not voluntarily dismiss her action pursuant to Rule 41(a)(1)(A)(i).) Plaintiff Schrock's claims against Defendant Wenner are dismissed without prejudice; see below for conditions. Plaintiff Schrock's oral motion to withdraw her motion to substitute plaintiff and to file second amended complaint [61] is granted. Plaintiff Schrock's motion to substitute plaintiff and to file second amended complaint [61] is withdrawn. Plaintiff Schrock's motion to certify class [19], Defendants' joint motion to compel [46], Plaintiff Schrock's motion for leave to file second amended complaint [47], Plaintiffs Hubbard's and Mills' motion for class certification [62], Defendant Wenner's motion to transfer [67], and Defendant Wenner's motion for leave to file sur-reply [74] are denied as moot. Civil case closed.

■ [For further details see text below.]

Docketing to mail notices.

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STATEMENT

The court has dismissed Plaintiff Schrock's claims without prejudice, as opposed to with prejudice, only because the dismissal without prejudice is made on two conditions. First, if Plaintiff Schrock re-files her claims against Defendant Wenner (or any of its affiliates, officers, or employees) in this court, the case will be assigned to Judge Feinerman. Second, if Plaintiff Schrock re-files her claims against Wenner (or any of its affiliates, officers, or employees) in any court, Schrock must comply with the discovery obligations referenced in the motion to compel [46], the 6/20/2011 order [54], and the 7/21/2011 order [59], and also must produce for deposition every single individual (including the attorney identified in open court) who called at least one of the toll-free numbers set forth in the text messages allegedly sent to Schrock.

Courtroom Deputy
Initials:

JD